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S P E E C H

OF

MR. CHARLES HUDSON, OF MASS.,

ON THE

SUBJECT OF THE WAR WITH MEXICO.

DELIVERED IN THE HOUSE OF REPRESENTATIVES, MAY 14, 1846.

The House being in Committee of the Whole on the Army Appropriation Bill—

Mr. HUDSON, of Massachusetts, having obtained the floor, said:

Mr. CHAIRMAN: Under ordinary circumstances I should not have obtruded myself upon the attention of the committee. But we are now at war with a sister Republic; we are engaged in a contest commenced by the Executive without just cause, and in direct violation of the fundamental principles of our Constitution. Believing this to be the case, I feel it my duty to bear testimony against this procedure; and I am the more inclined to do this, because I was one of the few, or as gentlemen on the other side of the House have, sneering, said, one of the *ignoble fourteen*, who had the independence to follow their own sense of duty, and to vote according to the dictates of their own consciences. I bring no accusation against others. The subject was presented by the majority of the House in the most embarrassing form, and gentlemen, of honesty of purpose, might differ upon the final vote. As I claim sincerity for myself, I do not question the sincerity of my friends, whose minds were brought to a different result.

But the gentleman from Illinois (Mr. DOUGLASS) in reply to my friend from Ohio, (Mr. DELANO,) has told the committee that it is treason to the country to denounce the war now it is declared. He seems to admit that the remarks of the member from Ohio would have been unobjectionable, if they had been made before the war bill had become a law. But, sir, I recognise no such distinction under the circumstances of the case. We know the manner in which that bill was passed, the hot haste with which it was pressed through this house, and I intend that it shall be known elsewhere. So far as my feeble powers extend, I intend the country shall know with what rashness and indecent haste all the evils of war have been brought upon the country. A message was received from the President of the United States with reference to our relations with Mexico. This message was accompanied with voluminous correspondence which passed between our Government and Mexico, and also between the Executive and Gen. Taylor. The House resolved itself into a Committee of the Whole to consider the subject. The debate, by a vote of the dominant party, was limited to the short space of two hours. One hour and a half of that time was consumed in reading the correspondence, and even then one half of the papers were not read.

The chairman of the Committee on Military Affairs called up a bill, which had been for some time upon our tables, which simply authorized the President to accept the services of volunteers, should they be necessary to defend our own soil, or repel invasion from our territory. This bill was under debate for some thirty minutes, but no Whig was able to obtain the floor. Then, for the first time, a declaration of war was mentioned, and sundry amendments to that effect were offered. When the time for discussion expired, the committee passed upon the amendments, and the bill was immediately reported to the House, and passed under the *previous question*. Thus, sir, was war declared after a debate of some thirty minutes only, and that confined entirely to a few brief remarks by four members of the Democratic party. Not an individual of the minority was permitted to say a word upon the great and absorbing question of peace and war. The House knows, and the country shall know, the hasty and inconsiderate manner in which they have been involved in all the horrors of war. A grosser instance of precipitancy and rashness cannot be found in the history of any assembly calling itself a deliberative body.

Thus, sir, were the Whig party in the House compelled, by a tyrannic majority, to pass upon this great question without a single word of debate on their part, and without having one-half of the documents which were submitted by the President read! And now we are told, by the members of the same dominant party, that it is treasonable to speak against a measure thus hastily and tyrannically forced through the House, without debate; amid scenes of excitement and confusion. Opposition to this measure, we are told, would have been proper before it had passed; but now, being at war, all opposition to the measure shows a want of patriotism, and a disposition to take sides with the enemy. Sir, I admit no such principle; I will submit to no such iron rule. And has it come to this, that all debate is to be suppressed in this Hall—that freedom of speech is to be denied to the representatives of a free people? A doctrine more despotic was never advanced. According to this doctrine, if the President, led on by vain ambition, or by a treasonable desire to raise himself to a throne on the ruins of our free Government, has the wickedness to trample upon the prerogatives of Congress, and commence an unjust war with a foreign power, we are to submit in silence, because hostilities have already commenced. We are to stand by in meek submission, and see our right invaded, and the property and lives of our citizens wantonly sacrificed, because a drilled majority of political partisans may have succeeded in pressing through Congress, without debate, an endorsement of Executive usurpation. I say, sir, I will countenance no such doctrine; I will submit to no such dogma. Under the peculiar circumstances of the case I will speak, and speak as freely this day as I would have spoken on Monday last. And though the gentleman from Illinois very modestly brands those as cowards who voted against the declaration of war, I will assure him that I have the moral courage to speak my own sentiments; and neither his dogmatical declarations, nor the awful nods of his head, shall restrain me. I will speak as I think, regardless of the frowns or sneers of that gentleman or his friends. I make no pretensions to bravery; but it frequently requires more moral courage to stand alone, or with a small minority, than it does to follow the multitude in the moment of popular excitement.

Mr. Chairman, I was one of the fourteen who voted against the passage

of the war bill. I voted against it for various reasons; and, among others, for this: I believe the preamble, and its repetition in the first section of the bill, to be untrue. The preamble is as follows: "Whereas, by the act of the Republic of Mexico, a state of war exists between that government and the United States."

Now, sir, I regard this preamble as utterly false—false as a whole, and false in each of its recitals. It is not true that war existed before the passage of that act. There had been a collision between our troops and those of Mexico; but a collision of forces in a single instance, and at a particular point, does not amount to war, in the legal and constitutional sense of that term. By the Constitution of this country and of Mexico the power to declare war is vested in Congress, and not in the President or the commanding general. We have no authority for saying that the Mexican Government had declared war, and we know that our Congress had given no authority to the President to march his troops upon a disputed territory in possession of the Mexicans. There is also a manifest distinction between *hostilities* and *war*. When war is proclaimed by the constituted authority, the whole nation and the world are bound to take cognizance of it, and to govern themselves according to the rules of constitutional and international law. But there may be outbreaks or collisions at a particular point, hostilities within a limited sphere, and even letters of marque and reprisal may be granted to one or more injured subjects, under certain circumstances, and with suitable limitations, without being in a state of war, in the legal sense of that term. When war exists neutral nations are bound to take notice of it; but the same is not true in every case of hostility. We have several examples in our own history which will illustrate this distinction. The attack upon the Chesapeake by an English cruiser, before the late war with England, was an act of hostility, but neither nation regarded it as war. The same is true of the destruction of the *Caroline* on the Canadian frontier. The capture of Monterey, a Mexican town upon the Pacific, by Commodore Jones, in 1843, is another case in point. Each of these cases shows that there may be acts of hostility between the forces of two powers, and yet the relations of peace may be preserved. The declaration, therefore, that war existed, is not sustained by facts. We had no evidence of its existence at that time; on the contrary, all the evidence we had before us went to sustain the opposite conclusion. I could not, therefore, subscribe to the declaration that war already existed.*

The preamble states not only that war exists, but that *it exists by the act of the Republic of Mexico*. This declaration I believe to be untrue. Mexico with all her faults has not, in this case, been the aggressor. The statement which ascribed the war to the acts of Mexico is clearly and conclusively contradicted by the facts in the case. I might go back to the commencement of the Revolution in Texas, and show that the Government of

* Since the delivery of the Speech, we have received the Manifesto of Paredés, dated "National Palace of Mexico, April 23, 1846," only one day before the collision on the Rio Grande, in which he says most emphatically, "*I solemnly announce that I do not declare war against the United States of America, because it pertains to the august Congress of the nation, and not to the Executive, to settle definitely the reparation which so many aggressions demand. But the defence of Mexican territory, which the United States troops invade, is an urgent necessity, and my responsibility would be immense before the nation, did I not give commands to repel those forces, which act like enemies. I have so commanded.*"

the United States have not maintained a policy strictly neutral, as they were bound to do. But in the act of annexation, we not only violated our own organic law, but violated our faith pledged to Mexico by solemn treaty. But, sir, I will not rely upon that act, unjust as I believe that to have been. I will take the case as it stood after the joint resolution was passed; and I believe that our conduct towards Mexico is entirely indefensible. Texas was annexed to the United States, and on the supposition that that act was valid, what did it include? What did we annex? The old province of Texas was bounded on the southwest by the Nueces, which does not approach within one hundred and fifty miles of the position occupied by Gen. Taylor. The Texas which has been annexed to the United States was the old province of Texas; the Texas which formed one of the States or departments of Mexico; the Texas which rebelled against the parent government, and set up a government for herself; in a word, the Texas which was bounded by the river Nueces. It is true that the Texan Congress in 1836 passed an act declaring that their republic was bounded westerly by the Rio Grande. But what title had she to the territory lying west of her original limits? She could have none but that of conquest. And did she ever carry her conquest up to the Rio Grande? Nothing like it; every attempt she made proved a signal failure. The population upon the Rio Grande never rebelled against Mexico, were never conquered by Texas, or submitted to Texan law or authority. Texas made several attempts to plant her standard upon the banks of that river, but in every attempt her forces were either captured or driven back. With what propriety, then, can we maintain that the wilderness or desert country between the Nueces and Rio Grande ever belonged to Texas? A large strip of country on the left or eastern bank of the Rio Grande has ever been in possession of Mexico, and we have acknowledged that possession both before and after annexation. At the last session of Congress, an act was passed allowing a drawback upon foreign merchandise imported into this country, and exported to Canada and Mexico; and among the places mentioned in Mexico was Santa Fe. And during this session Mr. Secretary Walker, in his report on the finances, says: "The act of March 3d, 1845, allowing a drawback on foreign imports, exported from certain of our ports to Canada, and also to Santa Fe and Chihuahua, in Mexico, has gone to some extent into effect, and is beginning to produce the most happy results."

Here, sir, we have the most positive recognition on the part of our Government that Santa Fe belongs to Mexico, and is included within her lawful territory. But every one knows that Santa Fe is on the east side of the Rio Grande. How then can it be pretended, for a single moment, that the whole country, or that any part of the country bordering upon that river, belongs to Texas, and hence is a part of the United States? There is no authority at all for that plea; not one particle of proof that the Rio Grande is our true boundary, except the act of the Texan Congress, and that we have confessed to be invalid by admitting Santa Fe, a town on the east side of that river, to be a part of the Mexican territory. At that place we have a consul; there we have been paying duties on merchandise; and when the expedition to Santa Fe was captured, our Government interceded with the Mexican Government for the release of our citizens; admitting in the correspondence itself that Santa Fe rightfully belonged to the Mexican Republic.

Though our Government had by public acts acknowledged the country,

bordering upon the Rio Grande on the east, to be a part of the Republic of Mexico, the treaty got up by President Tyler and his Secretary of State, attempted clandestinely to obtain all the territory east of that river. The language of the treaty was general. It provided that the Republic of Texas, with all its territory, should be ceded to the United States. But, sir, though this language was general, and seemed to imply that the country ceded was nothing more than Texas proper, the country bounded westerly by the Nueces; yet when the President was pressed by the Senate to furnish a map and description of the country to be annexed, he laid before them a map of the country to the Rio Grande, with the clause of the act of the Texan Congress, claiming all the country east of that river. But Mr. Calhoun, the Secretary of State, though he had affixed his name to that stealthy treaty, and was the master-spirit in the whole transaction, feeling conscious, as it would seem, that the act of the Texan Congress had no validity, in his note to Mr. Greene, our chargé at Mexico, enjoined it upon him to assure the Mexican Government that the boundaries were not fixed, and that this Government would exercise a liberal policy in relation to that subject. His words are these: "You are *enjoined*, also, by the President to assure the Mexican Government that it is his desire to settle all questions between the two countries which may grow out of the treaty, or any other cause, on the *most liberal and satisfactory terms, including that of boundary*; and with that view the minister who has been recently appointed will be shortly sent with adequate powers." In the same note he directs Mr. Green to assure the Mexican Government "that the Government of the United States has taken every precaution to make the terms of the treaty as little objectionable to Mexico as possible; and, among others, has left the *boundary of Texas* without specification, so that the boundary might be an open question, to be fairly and fully discussed, and settled according to the rights of each, and the mutual interest and security of the two countries."

Now, sir, does not this amount to a full confession, on the part of Mr. Calhoun, that the Rio Grande was not the boundary of Texas? If he relied upon the act of the Texan Congress, why permit the line to be drawn in question, and propose to submit it to negotiation? The fact is, that act of the Texan Congress is a perfect nullity. No man knows better than Mr. Calhoun that a boundary is a question to be settled by two nations, and any declaration by one is entirely void. Settling territorial limits is to be regarded in the light of a contract, and as necessarily implies two parties as any other contract whatever. Hence it is the very perfection of absurdity to rely upon the declaration of Texas as deciding this question. It is, therefore, a matter of profound astonishment that the President, in his late message, should so presume upon the ignorance of Congress, as to present that *ex parte* act of Texas as having any bearing upon this question. But the treaty was rejected by the Senate. And no objection was urged with more force than the one we are considering, that it attempted to carry the western boundary of Texas to the Rio Grande, far beyond the true limits of Texas.

The distinguished Senator from Missouri, Mr. BENTON, when speaking against the treaty, said: "The one half of the department of New Mexico, with its capital, becomes the property of the United States; an angle of Chihuahua also becomes ours; a part of the department of Coahuila, not populated on the left bank, which we take, but commanded from the right

by Mexican authorities; the same of Tamaulipas, which covers both sides of the river from its mouth for some hundred miles up, and all the left bank of which is in the power and possession of Mexico." These, in addition to old Texas; these parts of four States; these towns and villages; these people and territory; these flocks and herds; this *slice* of the Republic of Mexico, two thousand miles long and some hundred broad, all this our President has cut off from its mother empire, and presents to us, and declares it ours, till the Senate rejects it!"

"The treaty, in all that relates to the boundary of the Rio Grande, is an act of *unparalleled outrage on Mexico*. It is the seizure of two thousand miles of her territory without a word of explanation with her, and by virtue of a treaty with Texas, to which she is no party."

"Having shown the effects of the treaty on the Rio Grande frontier, I take up the treaty itself, and under all its aspects, and in its whole extent, and assume four positions in relation to it, viz.

1. That the ratification of the treaty would be, of itself, a war between the United States and Mexico.
2. That it would be an *unjust* war.
3. That it would be a war *unconstitutionally* made.
4. That it would be a war upon a *weak* and *groundless pretext*."

The treaty failing, the subject at the next session was brought forward in a form to obviate in some degree this objection of the Senator of Missouri. The joint resolution of annexation provides that "the territory *properly included within, and rightfully belonging to*, the Republic of Texas, may be erected into a State, &c." But the first condition imposed upon 'Texas' in the resolution was this: "Said State to be formed, subject to the adjustment by this Government of all questions of *boundary* that may arise with other Governments."

Here, sir, we have a full recognition of the unsettled state of the western boundary of Texas. The language is selected with caution—"the territory *properly included within, and rightfully belonging to Texas*," and this is followed with a provision that all *questions of boundary which may arise with other governments*, shall be settled by the United States and that other government. These provisions can have no significance on the supposition that the boundary mentioned by the Texan Congress is valid. Not only the resolutions of annexation implied that the boundary of Texas did not extend to the Rio Grande, but Mr. C. J. Ingersoll, the chairman of the Committee on Foreign Affairs, who brought the subject before the House, and opened the debate, gave us the fullest assurance that it did not approach within a hundred miles of that river. His declaration is this: "The territorial limits (of Texas) are marked in the configuration of this continent by an Almighty hand. The stupendous deserts between the rivers Nueces and Bravo (Rio Grande) are the natural boundaries between the Anglo-Saxon and the Mauritanian races. There ends the valley of the West. There Mexico begins. While peace is cherished, that boundary will be sacred. Not till the spirit of *conquest* rages will the people on either side molest or mix with each other." He virtually admits that we shall have no right even up to the desert by virtue of annexing 'Texas', for he speaks of buying our peace with Mexico, and obtaining the country up to the great desert by the offer of money. "Although the public correspondence between the two North American republics," says he, "has be-

come angry, I am happy to be authorized to assure the House, that those best acquainted with the true state of things, apprehend little or no danger of war—the main sinew of war, *money, will heal the breach and the controversy amicably.*” Here is a frank confession that the contemplated boundary was the great desert, and even that could be obtained only by the payment of money. And what has been the policy of our Government since the adoption of that joint resolution? Why, the President informed us in his annual message, that he had appointed a distinguished citizen of Louisiana, and sent him to Mexico “to adjust and definitively settle all pending differences between the two countries, including those of *boundary between Mexico and the State of Texas.*” And in his recent message, he says, that Mr. Slidell “was intrusted with full powers to adjust both the questions of the *Texas boundary* and of indemnification of our citizens.”

Now, in view of all these numerous confessions, on the part of our own Government, is it not perfectly preposterous in the Executive to maintain that our title is “clear and unquestionable” up to the Rio Grande? Have we any better claim to the country up to the bank of that river opposite Matamoras, than we have in the neighborhood of Santa Fe? The President in his late message relies upon the act of the Texan Congress, which made the Rio Grande, through its whole course, the boundary, when he himself, through his Secretary of the Treasury, has told us that Santa Fe, on the east of that river, is included in the Republic of Mexico.

But, sir, while I am upon this subject, I wish to pay my respects to the gentleman from Illinois, (Mr. DOUGLASS,) who favored us with his views upon this subject yesterday. The gentleman gave us as rare a specimen of advancing and retreating, of playing off and on, as we often witness. In the first place, he attempted to substantiate our title to the whole country east of the Rio Grande by referring to the early boundaries of Texas. But, after he had demonstrated that to his own satisfaction, he confessed that these old boundaries, and consequently his argument founded upon them, was nothing to his purpose. The question, he said, was not how the *Province* of Texas was bounded, but how the *Republic* of Texas was bounded. In this way he yielded all arguments drawn from the boundaries prior to 1836; and then, to show that he had no settled principle upon the subject, he returned to the question of the early boundary, and referred to the argument of my venerable colleague, (Mr. ADAMS,) when he was Secretary of State. This vacillating course, this employing and rejecting almost every argument in succession, has left but little which requires any reply. There are, however, a few points which demand a passing notice. The gentleman told us that there were some soldiers in the revolutionary army of Texas who came from the country west of the Nueces, and from this he argued that all that country fell within the Republic of Texas. But does not every one see the utter fallacy of this reasoning? I presume there might have been some soldiers in the Texan army from the country west of the Nueces, but to every one west of that river there were, I presume, ten from the country east of the Sabine. And if this fact proves that the country between the Nueces and the Rio Grande is included in Texas, the same argument would prove that a large section of the United States was rightfully included in that republic. But, sir, the question is not from what country or section of country the soldiers came, but over what country did they extend their arms. And I say, without fear of contradiction, that they never were

able to extend their conquests to the Rio Grande. They have at different periods made attempts at conquering the country, but have always been repulsed or captured.

The gentleman has said that one member of the Texan Congress had resided west of the Nueces, and hence he inferred that all that country to the Rio Grande belonged to Texas. But admitting the fact to be as he has stated, the conclusion does not follow. The distance from the Nueces to the Rio Grande is some hundred and sixty miles, and even if it should be admitted that a few men residing in the immediate valley of the Nueces, should call themselves Texans, and consent to be governed by Texan laws, this does not justify the inference that the Texans possess the *whole country up to the Rio Grande*. It is also true that men residing east of the Rio Grande are represented in the Mexican Congress, and that fact is as good for them as the other is for us.

Again, the gentleman has told us that this whole country is included in one of the congressional districts in Texas. The State is, I believe, divided into two districts; but it is manifest that whatever may be the language of their law, it can include no territory but what is rightfully theirs. Again, the gentleman says, that this country is included within one of our collection districts, and is subject to our revenue laws. This statement, borrowed from the message of the President, requires great qualification. It is true that a collection district has been established at Corpus Christi, which happens to be on the west side of the Nueces at its mouth. But that our revenue system is extended west to the Rio Grande, is not true. And though the message seems designed to give that impression, the documents submitted with the message expressly contradict it. Gen. Taylor, in his despatch dated Corpus Christi, Feb. 26, 1846, informs the President that he had taken every opportunity of giving the impression to the Mexicans "that the *Mexicans, living on this side* (of the Rio Grande) will not be disturbed in any way by our troops; that they will be protected in all their rights and usages; and that every thing which the army may need will be purchased from them at fair prices. I also stated that, until the matter should be finally adjusted between the two Governments, the harbor of Brazos Santiago would be open to the free use of the Mexicans *as heretofore*. The same views were impressed upon the *Mexican custom-house officer at Brazos Santiago* by Captain Hardee, who commanded the escort which covered the reconnaissance of Padre island."

Here, Mr. Chairman, we have the authority of General Taylor for the fact that the Mexicans were in possession on the east bank of the Rio Grande, that *Mexicans were living there*, that they had the *navigation* of the harbor of *Brazos Santiago*, and had a *custom-house* and *custom-house officers there*. How, then, could the message declare with propriety, or even truth, that our revenue laws were extended over the whole country between the Nueces and the Rio Grande? Gen. Taylor further informs us, that in approaching Point Isabel he found it in flames, and that on arriving there, he learned that the "port captain, who committed the act," had made his escape, and that with the exception of two or three inoffensive Mexicans, the rest had left the place for Matamoras. This evidence is clear and conclusive that the Mexicans were in possession of the country on the east bank of the Rio Grande. In fine, the Executive has long been in possession of this fact. The Secretary of War, Mr. Marcy, in his order to Gen. Taylor, dated

July 8, 1845, says: "This Department is informed that Mexico has some military establishments on the east side of the Rio Grande, which are, and for some time have been, in the actual occupancy of her troops."

We have then the most conclusive evidence that Mexico was in possession on the left bank of the Rio Grande, having citizens living there, custom-houses and military posts there. What, then, becomes of the declaration of the gentleman from Illinois, or the declaration in the message from which he borrowed it, that we were in possession, and that our laws were extended over the whole country between the Nueces and the Rio Grande? But the gentleman from Illinois has another argument, on which he places great reliance; that at a certain time an armistice was concluded between the Mexicans and Texans, and one provision was that the Mexican forces should be withdrawn to the right bank of the Rio Grande. Now, I would gladly ask that gentleman, whether he has any confidence in an argument of this sort? Does not every one know that nothing is more common in such cases than to agree that the armies on both sides shall be withdrawn from the scene of action? But who ever thought before, that such an agreement for the time being would settle the future boundary of the two countries? The Mexican might with more propriety rely upon the fact that General Taylor took his first position upon the Nueces, to prove that that river, and not the Rio Grande, was the true boundary.

There is, in my apprehension, one capital defect in all the argument adduced to carry the Texan boundary west to the Rio Grande. There may be, and probably are, a few persons living immediately upon the west bank of the Nueces, who have acted with the Texans. They have been cut off from the Valley of the Rio Grande by the wilderness and deserts which lie between those two rivers, and may have regarded themselves as belonging to Texas. But this, if it be admitted to the fullest extent, does not prove that Texas has ever extended her laws one hundred and fifty miles farther to the Rio Grande, and over people of another race, speaking another language, and owing allegiance to another government. Texas has no title to herself except what she obtained by revolution, that is, by conquest and possession. Did she carry her arms west to the Rio Grande? She has made several attempts, and has always been defeated—in each case her forces have been driven back or captured. Does she hold the country west of the Nueces, except perhaps a very small portion in the immediate vicinity of the river? There is not a particle of evidence that she does. Mexico being the original owner, on every principle of law, would still continue to own all except what actually revolted or was conquered by Texas.—And as Texas never conquered the country up to the Rio Grande, and as it is now, or was on the approach of General Taylor's army, inhabited by the subjects of Mexico who owed allegiance to that government, and who were so faithful to their own country as to burn their dwellings on the approach of the American army, and cross the river to their own countrymen, I contend that there is not a particle of proof that the whole country east of the Rio Grande belonged to Texas, or belongs to the United States.

The President himself has furnished evidence that the Mexicans were in possession in the valley of the Rio Grande; and the most that can possibly be said is, that the territory is in dispute. In all such cases, possession is a good title as against an imperfect one. We had, therefore, by no principle of law a right to dispossess her by arms, pending the controversy, and

especially as she was willing to receive a special minister to treat expressly upon this subject of boundary. The advance of our army, therefore, was an act of aggression. We have encroached upon territory where she had the possession, and claimed to have a perfect title. Let a case like this be submitted to any court of justice, and the verdict would be rendered against us.

I will even go farther. If our title were the best, or we were in possession up to the banks of the Rio Grande, even then we should be the aggressors, according to General Taylor's own account. In his despatch of the 15th of April, he says that *he blocked up the Rio Grande, and stopped all supplies for Matamoras*. This was the first act of aggression. For at that time it is not pretended that the Mexicans had made any attack upon our troops. Col. Cross had been missing for a few days, but the worst apprehension was that he might have been murdered by some "banditti known to be in the neighborhood." And what provocation had General Taylor for blockading Matamoras, and cutting off the supplies for the Mexican army? He tells us that he had received a despatch from General Ampudia, summoning him to withdraw his force within twenty-four hours, and to fall back beyond the Nueces. Was this summons an act of hostility? It was not so regarded by General Taylor, for in his note in reply, he says the responsibility will rest upon those "*who rashly commence hostilities*." So, according to his own confession, before the Mexicans had commenced hostilities, he blockaded their town and cut off their supplies. Does not this make us the aggressors? Have we in time of peace a right to blockade the Mexican ports, and so cut off supplies from their army? This is not a threat, but an *act* of hostility. We were not only the aggressors in invading a country in possession of Mexico, but we were guilty of the first overt act. And I should like to be told, even if the Rio Grande were the true boundary, whether the Mexicans were not justified in crossing the river to cut off General Taylor's supplies, after he had blockaded the port and cut off theirs? The aggression was on our part. We commenced hostilities.

[Mr. JONES, of Georgia. I wish to ask the gentleman from Massachusetts, whether he has any authority for saying that the Mexicans crossed the river *simply* to cut off General Taylor's supplies.]

I will not higggle with the gentleman from Georgia about terms. I suppose that General Arista had sent his troops across the river to oppose General Taylor, by throwing themselves between him and his supplies. I regard Arista's movement as a hostile one, brought on by the hostile movements of our own troops. Our forces had blockaded Matamoras, and cut off the supplies from the Mexican army; and the Mexicans, in return, attempted to intercept our supplies. Both were acts of hostility. I know no difference between attacking the army itself, and cutting off their provisions and munitions of war. It is as much an act of hostility to cut off an army by famine as by the sword. Or, if gentlemen regard nothing as war but an actual collision of forces, we have no evidence that the Mexicans made the first attack. General Taylor in his despatch does not pretend it.

From the view I have taken of this whole subject, it appears to me that we have been the aggressors. We annexed Texas to this Union. But the Texas we annexed was limited in her territory to the Nueces, or that immediate vicinity. Though she had made several attempts to extend her territory by arms to the Rio Grande, she had always been unsuccessful.

The whole country east of the Rio Grande to the Nueces, or certainly to the desert, remained in the hands of the Mexicans. They had settlements in the territory; they had military posts there, and custom-houses, which we have always acknowledged as belonging to Mexico, by paying duties there to the Mexican government. Though Texas had laid some claim to the territory, Mexico was in possession, and we had always acknowledged it. And yet the President of the United States, without authority of law, sends our army to dispossess the Mexicans by taking possession of the territory, and planting our standard on the banks of the Rio Grande—the very extreme point to which the most sanguine ever laid claim. General Taylor had, also, by the direction of the Executive, erected a battery opposite Matamoras, with his guns pointing into the town, as if to awe them into submission. This can be regarded in no other light than an act of aggression. So impatient was the Executive to dispossess the Mexicans, and take possession of the whole country between the Nueces and the Rio Grande, that as early as June, 1845, before annexation had been consummated, Mr. Bancroft, the acting Secretary of War, in his instructions to General Taylor, informed him that his “ultimate destination” was the Rio Grande. This is followed up by an order of August 23d, 1845, in which we find the following: “Should Mexico assemble a large body of troops on the Rio Grande, and cross it with a considerable force, such a movement must be regarded as an invasion of the United States, and the commencement of hostilities.” In an order of August 30th, 1845, the Secretary of War goes further, and says: “An attempt to cross the river with a large force, will be considered by the President as the commencement of hostilities. There may be other acts on the part of Mexico which would put an end to the relations of peace between that Republic and the United States. In case of war, either declared or made manifest by hostile acts, your main object will be the protection of Texas; but the pursuit of this object will not necessarily confine your action within the territory of Texas. Mexico having thus commenced hostilities, you may, in your discretion, should you have sufficient force and be in a condition to do so, *cross the Rio Grande, disperse or capture the forces assembling to invade Texas, defeat the junction of troops uniting for that purpose, drive them from their positions on either side of that river, and, if deemed practicable and expedient, take and hold possession of Matamoras and other places in the country.* I scarcely need to say that enterprises of this kind are only to be ventured on under circumstances presenting a fair prospect of success.”

Mr. Chairman, it seems to me that no man can read these orders, and review the whole course of the President, without perceiving that the Executive was seeking an occasion against Mexico—using every means in his power, and means which by the Constitution he did not possess, to bring on a war with that Republic. And after these numerous acts of aggression, the President has the effrontery to tell us in his late message, that “war exists, and notwithstanding all our efforts to avoid it, and exists by the acts of Mexico herself.”

Sir, I regard this declaration as utterly untrue. And as it was incorporated into the bill and preamble, I could not vote for it. I believed the preamble to be false, and was satisfied that it was connected with the bill for the purpose of shielding the President. I believe that this recognition of existing

war was connected with the supplies for the army, for the purpose of committing as many as possible to this base war of conquest, and to this gross encroachment upon the Constitution. Regarding the preamble as false, and the war inexpedient, and one got up for the purpose of conquest, I could not, as a faithful representative of the people, give it my support. I believe I should have been false to truth, to justice, and to the best interests of my country, if I had given my sanction to such a measure.

The gentleman from Illinois (Mr. DOUGLASS) has pronounced every one a hypocrite, a traitor, and a coward, who voted against the bill, and who charged the Executive as the aggressor in this case. But, sir, I shall not be deterred from what I consider to be my duty by any such intimidation. I come not here to bow to Executive dictation, or to register the edict of James K. Polk, or any other President. I have no ambitious ends to answer—no patronage to seek—no high political aspirations to gratify; and hence shall not be very solicitous of courting Executive favor, or flattering the morbid sensibility of noisy and restless demagogues. But although that gentleman may brand us as cowards, I will assure him that neither the strength of his voice, nor the violence of his gesticulations, nor the spasmodic emotions of his patriotism, will in the slightest degree alarm me. The gentleman may

“ Shake his ambrosial locks, and give the nod,”

and some gentlemen may, perhaps, tremble in his presence; but I shall remain unawed. Yes, he may

“ Assume the god,
Affect to nod,
And seem to shake the spheres;”

but he will not shake my convictions of duty, or my determination to obey them.

The gentleman from Ohio, (Mr. THURMAN,) who addressed the committee yesterday, read numerous extracts from the federal papers, published during the late war with England. He has produced these extracts with an air of triumph, as if he had demolished his colleague at a blow, because that gentleman had applied to the present war some of the epithets which had been applied to the war of 1812. But granting all that the gentleman has said, what does it prove? His colleague had denounced the present war and its authors; and he meets it by saying that the war of 1812 was denounced. He does not attempt to show that the present war is just, or that the Executive has not transcended his powers, but contents himself with a low attempt to create a popular prejudice against his colleague. If he felt competent to meet the arguments of his colleague, why did he not do it? Why depend upon the old cry of Federalism? I do not know the source whence the gentleman obtained his “ elegant extracts,” but it is suggested by gentlemen around me, that he might have obtained them from his Democratic friend now at the head of one of the departments, who was formerly so zealous a Federalist, that he is said to have remarked, that if he thought he had one drop of Democratic blood in his veins, he would apply the lancet and let it out.

While the gentleman was denouncing the “ immortal fourteen,” and representing them as enemies of their country, he ought to have recollected

that two of them from his own State had proved their courage and their patriotism by fighting the battles of their country; and some of the rest of that number have seen more of the tented field, I presume, than that gentleman himself.

As to his attack upon the Federal party, in 1812, I have nothing to say. They need no defence from me. They numbered in their ranks some of the wisest statesmen and firmest patriots of the country. If they erred, I am not responsible for their errors, having never belonged to that party. Though young at that period, my feelings were enlisted on the other side in politics.

[Mr. SIMS, of South Carolina, made some inquiry about the conduct of the Federalists at that period.]

I should be pleased to hear the gentleman, but my time will not permit. It is rare that we, upon this side of the house, can obtain the floor; and I have no time to be catechised by the gentlemen on the other side; they will have their turn hereafter. But if the gentleman from South Carolina is troubled about threats of disunion, I will ask him what he thinks of more modern threats of nullification and disunion in another quarter. He may perhaps understand that better.

But we are charged with withholding succor from our gallant little army in the hour of its peril—with being indifferent to its present alarming condition. This charge, sir, is founded upon an *entire misrepresentation* of the facts in the case. Does any person believe that any of the troops, raised by virtue of our act of war, can reach the Rio Grande before the fate of our army will be decided for good or for evil? The collision between our forces and those of Mexico took place on the 24th of April, and the subject was brought before us on the 11th of May, seventeen days after the event. We could not expect that the subject would be disposed of here under two or three days, and the intelligence of our action could not reach General Taylor before the last of May, some thirty-five days after the first collision. It is also manifest that volunteers could not be raised, organized, and sent to the scene of action before the middle of June. Some six or eight weeks must elapse before the troops, raised by our act, could reach General Taylor's camp. How, then, can it be pretended that our action could have any reference to the *immediate* condition of our army? From the facts, submitted by General Taylor, it appears to be certain that the fate of his army must be decided for weal or for woe within a short time. The Commanding General also informs us that he had, in virtue of authority reposed in him, called upon the States of Texas and Louisiana for 5,000 men; and he had authority to call upon several other States. The call for these troops was made on the 26th of April, and would reach the authorities of those States ten or twelve days before the intelligence of the collision reached us. These troops would be sent irrespective of any action by this body, and it is upon them and others, which he was authorized to call for, that General Taylor must depend. It is not true, therefore, that the fate of our army depended upon any action of ours. Our action had reference, not to the *immediate* fate of the army, but to the *future operation* of that army. It was a question not of immediate succor to our own troops, but of the conquest of Mexico. This was in fact the question which the majority pressed upon the House; and if our army should have suffered by the defeat of that bill, the responsibility would have rested upon those who,

to gain party ends, were pleased to connect the question of supplies with gross falsehoods, and a war of conquest and aggrandizement.

But we are told, by gentlemen on this floor, that it is treason to oppose the Government in time of war. Sir, I have no sympathy with that dastardly sentiment. What! has it come to this, that a weak or wicked Executive may usurp power, and involve the nation in an unjust war, and an unscrupulous majority may press through the House, without debate, a bill sanctioning that iniquitous procedure, and then all mouths must be closed on the subject? Is this the liberty and the only liberty granted to the representatives of a free people? Is it treason to point out the faults of a corrupt Administration? Are we to submit in all things to the will of the President? If so, we have nothing left of liberty but the name. We are already under a despotism. Such doctrines may answer for corrupt sycophants, who bow to the Executive for place, but they are unworthy of freemen. I protest against all such corrupt and corrupting sentiments. Treason to speak against the measures of the Administration, because we are at war! Sir, I have from my earliest boyhood had a profound veneration for the Earl of Chatham, arising from the manly course he pursued in the English Parliament in pleading the cause of America. He spake freely of the impolicy and the injustice of the mother country towards the Colonies. He commenced his patriotic course before the war began, but he did not cease with the breaking out of hostilities. He plead for America; he exposed the Administration; he denounced their measures as *infamous*, while the war was in progress. When opposing the administration, he employed language like this: "Sir, *I rejoice* that America has resisted; three millions of people so dead to all feelings of liberty, as voluntarily to submit to be slaves, would be fit instruments to make slaves of all the rest." "The Americans have been *wronged*; they have been driven to madness by *injustice*." "If I were an American, as I am an Englishman, while a foreign troop was landed in my country, I never would lay down my arms—NEVER, NEVER, NEVER! I solemnly call upon your lordships, and upon every order of men in the state, to stamp upon this *infamous* procedure the *indelible stigma of public abhorrence*." Such was the language of the friends of liberty on the floor of Parliament; and that body, even under that tyrannic administration, had not the hardihood to attempt to suppress it. The last act of his life was an effort in behalf of the Colonies. The opposition in Parliament have always spoken with freedom in peace and in war. This is English liberty. Pitt, and Barre, and Burke, and all the leaders of the opposition, even at that day, were too enlightened, had too ardent a love of liberty, to subscribe to the degrading and cowardly sentiment which we hear proclaimed upon this floor, in the hall of an American Congress.

I have no boasts to make of my devotion to my country. I am a citizen of this country. This is the land of my birth. My lot is cast in the United States, and my fortune is connected with hers. When she is right, I will sustain her; and if I believe her to be in the wrong, I will not give her up, but will point out her errors, and do all in my power to bring her into the right; so that, if war must come, and our young men must be offered on the altar of our country, we may safely commend them to the God of battles—to that Being who rules in the armies of heaven and among the inhabitants of the earth. I desire the prosperity of my country, and

nothing but my devotion to her interest, and to the higher principles of moral rectitude, induced me to separate from those with whom I have generally acted. I could not consent to involve my country in a war which I believe to be unnecessary and unjust—a war of conquest—brought about by ambitious men to answer personal and party purposes.

Before I conclude my remarks, I must notice another subject closely connected with this, and one out of which our present difficulties have grown. Gentlemen with whom I have acted on this floor will bear me witness, that I have not been in the habit of going out of my way to attack the institutions of the South. Though I have always regarded slavery as an evil—a political and moral wrong—having no power over it in the States, I have been disposed to leave it with those who have it in their keeping to manage, according to their own sense of propriety. But, when gentlemen throw this subject in my path—when they bring it up here for action, and ask me to give a vote upon it, I will speak and act freely—I will not give it my countenance—it shall not be extended by me. This war is one of the first fruits of the annexation of Texas. And that measure was got up and consummated to extend and perpetuate slavery. Mr. Calhoun, in the correspondence submitted with the treaty, avowed this to be the *primary* object of annexation. I opposed it then, and I voted against the war because its object is to extend, not the “area of freedom,” but the area of bondage. And I wish to commend this subject specially to the gentleman from Illinois, whose bosom glows with such ardent patriotism, that he is willing to spill rivers of blood in this war with Mexico. That gentleman was born in a State where the blight of slavery was never known, and his residence is now in a free State. All his associations, we may suppose, have been in favor of freedom, and yet he is willing to aid in riveting fetters upon others—now as free as himself. Yes, Mr. Chairman, though he professes an ardent love of liberty, and would have us believe that his bosom was warmed by the very fires of patriotism, he is desirous of spreading the curse of slavery over a large section of country where it is now unknown. He is so devoted to his country, and so in love with her institutions, that he is willing to sustain, with blood and treasure, an institution at war with the first principles of a republican government—*liberty* and *equality*. He denounces Mexico as an uncivilized and barbarous power, and still he aspires to be a leader in a policy designed to extend and perpetuate slavery, and to plant on the soil of Mexico an institution which she, barbarous as she is, and corrupt as the gentleman would represent her to be, would not permit to pollute her soil. This is the position of the gentleman who denounces all as traitors who will not bow to the dictation of the majority on this floor.

He may occupy that position, but I confess that I do not covet it. I agree with the late Whig candidate for the Presidency, Mr. Clay, “that all wars are to be regarded as great calamities, to be avoided if possible; and that honorable peace is the wisest and truest policy for this country.” I agree with him, also, that in a war for conquest, and especially in a war to extend and perpetuate *slavery*, we should stand disgraced in the eyes of the civilized world. In such a war, I fear that victory itself would prove a defeat, and that a triumph over our enemies in foreign countries, would eventuate in the destruction of our free institutions at home. War under any circumstance is a great calamity. But when it is waged without an adequate cause—when it is carried on to gratify an inordinate am-

bition, or an unholy spirit of conquest, it is more than a calamity—it is a *crime of the deepest dye*. And the administration which shall use the power reposed in it for good, for such wicked purposes, merits and justly merits *public execration*. Let those in power look well to it that this execration does not fall upon their heads. They may think it a light thing, but let them remember that blood shed for unrighteous purposes will cry from the ground to him “who bringeth the princes to nothing, and who taketh up the isles as a very little thing.”



